

Claim Rejections - 35 USC § 103

Claims 1, 3, 8, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fletcher et al. (SIR H1,897) ("Fletcher") in view of Bortcosh et al. (U.S. Patent No. 5,983,364) ("Bortcosh").

Regarding claim 1, the grounds of rejection state that Fletcher discloses a centralized maintenance management for a portable telephone system via an internet (citing the Abstract, Figs. 1-3, and column 11, lines 1-12), including accessing an information providing server of a maintenance management center from a maintenance terminal (operator), and performing fault diagnosis and recovery operations of a telephone system (citing Fig. 3, column 15 line 66 to column 16 line 25, and column 17 lines 4-29).

The grounds of rejection acknowledge that Fletcher does disclose searching a database server in which fault data and a diagnosis dictionary are stored through the server to acquire fault diagnosis-and fault recovery as recited in claim 1. However, the grounds of rejection state that Bortcosh, in diagnosing computer faults, discloses a remote unit (maintenance terminal) searching a database server in which fault data and a diagnosis dictionary are stored through the server to acquire fault diagnosis and fault recovery (citing Fig. 1, column 4, lines 18-33). As such, the grounds of rejection conclude that it would have been obvious to one skilled in the art to use the diagnosing computer fault of Bortcosh in the centralized maintenance system taught by Fletcher in order to implement the fault diagnosis and recovery operations in a portable communication system. Applicants respectfully traverse this rejection.

Claim 1 recites searching a database ... “so that data necessary for fault diagnosis and fault recovery are acquired by said maintenance terminal.” The system in Bortcosh, however, operates in an opposite manner. That is, data necessary for fault diagnosis and fault recovery is not acquired by the maintenance terminal (remote terminal), but by the expert system unit 20. In particular, Bortcosh includes an expert system unit 20 with problem analysis 24, along with executive unit 28 and remote unit 26 (see Fig. 1). When a problem is detected by the Bortcosh system, the expert system 20 is the unit that obtains the data from executive unit 28 and remote unit 26 for fault diagnosis and fault recovery (see col. 3, lines 23-47). As disclosed in Bortcosh, once a problem has been identified, the executive unit 28 selects an appropriate file set 60 for the problem from the databases 40 for the problem, and presents the problem to the expert system 20 for analysis (see steps 200 and 204 in Fig. 2). Accordingly, it is not the remote terminal in the Bortcosh system that obtains the data for fault diagnosis and fault recovery, but rather the expert system 20. As such, the remote terminal is only used for providing data. Accordingly, Applicants respectfully submit that claim 1 is allowable over the combination of Fletcher and Bortcosh.

Independent claims 8 and 17 include similar features and are allowable for the same reasons. Claim 3 is allowable at least based on its dependence on claim 1.

Claims 2, 9-11, and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fletcher in view of Bortcosh, and further in view of Siegel et al. (U.S. Patent No. 6,782,345). First, these dependent claims are allowable at least based on their respective

dependence on claims 1, 8, and 17 for the reasons discussed above, the deficiencies of Fletcher and Bortcosh not made up for in Seigel et al.

In addition, the grounds of rejection indicate that Fletcher and Bortcosh also do not disclose one or more remote maintenance and engineering terminals, a request for supporting of a maintenance operation, and an updated diagnosis file as recited in the claims.

Dependent claim 9, recites “a fault diagnosis operation” performed by the remote maintenance console. In conjunction with independent claim 8, a diagnosis dictionary is searched in the database server, and this information is used in the fault diagnosis operation performed by the remote maintenance console. In contrast, however, in Seigel et al., data is sent to a remote diagnostic system 300 for analysis (diagnosis) either by a push or pull mode from individual machines (see the section of the Seigel et al. specification cited by the grounds of rejection at col. 7, line 30- col. 8, line 31). Thus, the diagnosis operation in Seigel et al. is not performed by the individual machine (remote maintenance console). As such, claim 9 is allowable for this reason as well as its dependence on claim 8. Claims 18, 19, and 20 include similar features, and are allowable for this reason as well.

Claims 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fletcher in view of Bortcosh, and further in view of Torch et al. (U.S. Patent No. 5,920,846). Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fletcher in view of Bortcosh and Torch et al., and further in view of Bowman-Amuah (U.S. Patent No. 6,345,239). Applicants submit that these claims are allowable at least based on their dependence on claim 1,

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/981,898

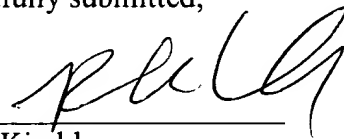
Attorney Docket No. Q66830

the deficiencies of Fletcher and Bortcosh not made up for by the disclosure of Torch et al. or Bowman-Amuah.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ronald Kimble
Registration No. 44,186

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 24, 2005